

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION**

DOMINIC GAGLIARDOTTO,)	
)	
Plaintiff,)	
vs.)	Case No. 20-cv-06516
)	
GOOSE LAKE DEVELOPMENT, INC. d/b/a)	Hon. Sara Ellis
GLD, INC. and DRAGAN JOVANOVIĆ,)	
individually,)	
)	
Defendants.)	

MOTION FOR DEFAULT JUDGMENT

NOW COMES Plaintiff, DOMINIC GAGLIARDOTTO, by his attorneys Schwartz Wolf & Bernstein LLP, and pursuant to Federal Rule of Civil Procedure 55 moves as follows:

1. Plaintiff filed the instant lawsuit on November 3, 2020 (see Doc. #1). Plaintiff's Complaint alleges violations of and seeks unpaid overtime wages, statutory penalties, and attorneys' fees under the Fair Labor Standards Act and the Illinois Minimum Wage Law.

2. Pursuant to Federal Rule of Civil Procedure 4(d)(1), Plaintiff delivered a Request for Waiver of Summons, along with all accompanying materials required under said Rule, to each defendant via certified mail on November 3, 2020.

- a. Defendant Dragan Jovanovic refused delivery on November 5, 2020 and the envelope was returned to Plaintiff's counsel on December 29, 2020 (see Group Exhibit 1 attached hereto).
- b. Defendant Goose Lake Development, Inc., refused delivery on November 6, 2020, but the envelope has not yet been returned to Plaintiff's counsel (see Group Exhibit 2 attached hereto).

3. At Plaintiff's request, the Clerk of Court affixed its signature and seal upon summons as to each defendant on December 8, 2020.

4. Pursuant to Federal Rule 4(h), Plaintiff's special process server served Summons and Complaint upon Defendant Goose Lake Development, Inc. on December 30, 2020. The Affidavit of Service as to Defendant Goose Lake Development, Inc. was filed on December 31, 2020 (see Doc. #3).

5. Pursuant to Federal Rule 4(e), Plaintiff's special process server served Summons and Complaint upon Defendant Dragan Jovanovic on December 30, 2020. The Affidavit of Service as to Defendant Dragan Jovanovic was filed on December 31, 2020 (see Doc. #4).

6. Pursuant to Federal Rule of Civil Procedure 12(a)(A)(i), each defendant was required to serve an answer to the Complaint within 21 days after being served with the summons and complaint - in this case, by January 20, 2021. Neither defendant did so.

7. Each defendant is in default.

WHEREFORE, Plaintiff, DOMINIC GAGLIARDOTTO, by his attorneys Schwartz Wolf & Bernstein LLP, prays for the following relief:

- A. For the entry of a default judgment against Defendant Goose Lake Development, Inc.;
- and
- B. For the entry of a default judgment against Defendant Dragan Jovanovic; and
- C. For leave to file an affidavit of damages and attorney's fees, and that this matter be set for prove-up on a date certain; and

D. For such other relief as this court deems proper and just.

Respectfully submitted,

DOMINIC GAGLIARDOTTO

By: SCHWARTZ WOLF & BERNSTEIN LLP

By: /s/ Daniel A. Wolf
One of his attorneys

Daniel A. Wolf
SCHWARTZ WOLF & BERNSTEIN LLP
314 N. McHenry Road
Buffalo Grove, IL 60089
(847) 459-4999
dwolf@swbattorneys.com
ARDC 6202253
Service by e-mail will be accepted at:
pleadings@SWBattorneys.com

CERTIFICATE OF SERVICE

I hereby certify that on January 21, 2021, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of the following parties or attorneys of record:

[None as of January 21, 2020.]

/s/ Daniel A. Wolf